



POLAND

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Overview

During the two decades since the beginning of Polish transformation in 1989, one of the most important tasks of the educational system has been restructuring; currently the system is still in transition. Many internal and external factors influence these changes. Internal factors include a change in educational structure and the educational framework (*podstawa programowa kształcenia ogólnego*), which has been redesigned only recently.

External factors include Polish membership in the European Union and increased mobility of pupils, but also the demographic structure, which translates into

significantly decreasing enrollment.

A new educational framework has been implemented since 2009, aiming at improvement of educational quality. Another long-term goal is lowering the enrollment age in primary schools. Polish president Bronisław Komorowski signed on 9 February 2012 an amendment to the *Act on the Education System* of 7 September 1991, according to which children of 6 years of age will be enrolled in primary schools by 2014. There are still a lot of arrangements to be made, such as equipping schools with desks and other facilities for such small children. Another current challenge is reform of high schools, which will shift from a broader approach to more profiled and specialized type of education, so that by the age of 15 pupils will have to define their future (if they want to focus on science, humanities, etc.).

Polish society values the educational system rather highly, especially primary schools and high schools; 75 percent of parents of children enrolled in a public primary school, 66 percent of those enrolled in a public *gimnazjum*, and 72 percent of those enrolled in a public *liceum* value the education system in positive terms, compared with the general population (from 17 percent to 26 percent positive opinions). This divide seems to reflect the public debate on education, which usually focuses on disadvantages and gaps within the system and influences the negative image of education in Poland.¹

According to the benchmarks established by the European Commission, the Polish education system scores very well, with a very low rate of early school leavers (5 percent, EU average 14.9 percent), high level of upper secondary attainment (91.3 percent, EU average 78.5 percent) and good results in other benchmarks (reading literacy; math; science and technology graduates; participation of adults in lifelong learning).² Also in the PISA study 2009, Poland is above the OECD average, with many indicators improved in comparison to 2000 results.

The structure of schooling

Schools in Poland operate according to the system introduced in the school year 1999/2000. The previous two levels of schools (8 years of grammar school and 4 years of *liceum*) were replaced by three levels: 6 years of grammar school (*szkoła podstawowa*), 3 years of lower secondary school (*gimnazjum*) and 3 years of upper secondary school (*liceum*). The PISA study 2009 shows that this change of structure had positive influence on the results achieved by the pupils, in particular for pupils of the seventh and eighth grades, who in new system feel more motivated to learn.

The grammar and lower secondary school are by law obligatory as full-time education; up age 18, education is obligatory, but may be part-time. Adolescents who prefer more practice or technically-orientated education after *gimnazjum* may choose a “*technikum*” (secondary technical school) or a vocational school; this latter does not give a right to study at the university.

Poland has a decentralized system of managing education in terms of structure and functioning. The controlling organ for pre-school, primary school and secondary school is a district (*gmina*), while for post-secondary schools it is a county (*samorząd*). Both of these local authority entities are fully responsible for school management and funding, such as: providing school with conditions to function, including security and sanitation; renovation and investment; financial and administrative services; providing didactical equipment for learning and conducting exams. Moreover, local authorities are also responsible for registering pupils, providing them with financial support, recommending them for special education, paying teacher salaries, and deciding about the number of schools and their networks. Schools are funded according to the number of pupils and special needs (e.g. special education institutions).

While the local authorities are in charge of school management, quality of education is supervised by the minister of national education and school superintendents. The main tasks of the Ministry of National Education (created from a split in 2006 from the Ministry of Education and Science) are related to pre-school upbringing, education on all levels up to the post-secondary one; teaching programs and textbooks; external examination; scholarships for pupils; employment and promotion of teaching staff and youth policy.

Poland faces currently a population decline, which translates into decreasing number of enrolled pupils. While Poland spends on education yearly 40.000 million PLN (around 6 percent of GDP) many schools are still underfunded, especially due to decreasing enrollment (25 percent less comparing to 10 years ago), and over-staffing (in the same period the number of teachers shrank only by 3 percent and Polish teachers work less than OECD average).³ Schools are financed from the educational subsidy (*subwencja oświatowa*), but often local authorities have to provide them with additional funding from their own budgets. Since maintaining schools is a big expense, many local authorities decide to close some of them or combine into one institution. Some public schools are successful in acquiring their own funding, such as from EU programs, as well as providing services (e.g. organizing festivals, summer camps).

In summary, responsibility for schools is twofold: while the government-appointed

education superintendent (*kurator*) is in charge of pedagogical supervision of schools in the province (*voivodship*), entities of local self-government are in charge of providing funding and maintenance, etc. The vast majority of schools are under the responsibility of local self-government: the commune (*gmina*) is responsible for grammar schools and *gimnazja*, while the county (*powiat*) is in charge of licea. The education superintendent supervises all schools: public and non-public.

Legal framework

Constitutional framework

The importance of education is underlined in the Constitution of the Republic of 1997: article 70 provides that: “1. *Everyone shall have the right to education. Education to 18 years of age shall be compulsory. [...] 2. Education in public schools shall be free of charge. Statutes may allow for payments for certain services provided by public institutions of higher education.*”

The right of parents are recognised in the following paragraph: “3. *Parents shall have the right to choose schools other than public for their children. Citizens and institutions shall have the right to establish primary and secondary schools and institutions of higher education and educational development institutions. The conditions for establishing and operating non-public schools, the participation of public authorities in their financing, as well as the principles of educational supervision of such schools and educational development institutions, shall be specified by statute*”.

Finally according paragraph 4, “*Public authorities shall ensure universal and equal access to education for citizens. To this end, they shall establish and support systems for individual financial and organizational assistance to pupils and students. The conditions for providing of such assistance shall be specified by statute.*” *Everyone shall have the right to education. Education to 18 years of age shall be compulsory. [...] 2.*

The Constitution underlines already in chapter II “The freedoms, rights and obligations of persons and citizens” equal rights of men and women “in particular, regarding education [...]” Art. 33; Art. 35. 2 guarantees that national and ethnic minorities shall have the right to establish educational and cultural institutions, institutions designed to protect religious identity, as well as to participate in the resolution of matters connected with their cultural identity.

Statutes

The basic legal act is the statute on the education system of 7 September 1991 (OJ 1991, No. 95, it. 425 with numerous amendments), which sets conditions for establishing and running schools. The current architecture of the system is set in the statute on the implementation of reform of the education system of 8 January 1999, in force as of 1 September 1999 (cons. text in OJ 2004, No. 256, it. 2572, with amendments).

The legal provisions concerning teachers are enshrined in the statute known as the “Teacher’s Charter,” adopted on 26 January 1982.⁴ The Charter refers to teachers employed in public schools, but also to those in non-public schools who obtained the same rights. More specific aspects are described in regulations, such as professional qualifications required from the teachers, and conditions under which it is allowed to employ teachers not having tertiary education or not having finished a training college for teachers.⁵

The educational tasks are financed from the State budget, in the framework of the general subsidy. There is a complicated algorithm explaining how the financial means should be distributed, taking account of the actual number of pupils, specific locality, number of disabled children, etc. The non-public schools having the rights of public schools (see below, point 4) receive a per pupil subsidy in the same amount as the public schools. The rules on school financing are set by the State in two statutes: on the incomes of the entities of the local self-government⁶ and in the above mentioned statute of 1991 on the education system. In case the State fails to transfer the subsidy, the trial should take place before a regular civil court, not before an administrative court, as confirmed by the Supreme Court in its judgements.⁷

Financing of education is regulated by a yearly ordinance of the minister of national education on the way of sharing a part of the general educational subvention between local authorities. Simultaneously, the budget act provides another part of the general educational subvention for districts (*gmina*), which are in charge of most of schools.

Regulations

A number of important questions are resolved in regulations issued by the Minister of Education, who uses this legal form regularly: for example, between

1 January and 17 April 2012, the Minister issued 17 regulations (including regulations amending previous regulations).

As stated above, Poland is a unitary state; hence, the provinces are not allowed to issue regional laws as regards education.

Freedom to establish non-state schools

Under communist regime (1945-1989), the government was systematically closing all non-public schools, so that very few continued to exist (in the school year 1955/1956 there remained altogether only 23 denominational schools).⁸ The communist government allowed the functioning of the secondary schools for girls, but not for boys, as the potential nuns were for the regime less dangerous than potential priests.

According to the statute of 1991 and starting with school year 1992/1993, the law allowed establishment of schools by:

- entities of local self-government,
- other legal entities or
- private persons.

Details of establishing a non-public school are enshrined in the regulation of Minister, dated 4 March 2004.⁹

As prescribed by law, there are three basic types of school: public schools (run by an entity of local self-government), private schools having rights of public schools (*posiadające uprawnienia szkół publicznych*), and private schools, not fulfilling requirements of public schools.

The most common type of school is public, functioning according to the following rules, as provided by the Art. 7 para. 1 of the 1991 statute on the education system. A public school:

- 1) provides education free of charge within framework education plan (a core programme)
- 2) recruits pupils based on principle of general accessibility

- 3) employs teachers having qualifications, as required by law
- 4) carries out the minimum educational programme
- 5) follows the methods of marking, classification and promotion of the pupils as set by the minister for education, and follows the rules concerning exams and tests.

As mentioned above, a non-public school has two basic options: it may remain fully independent in terms of its structure, staff policy and programme or it may apply for a status of “non-public school having rights of public schools.” In this case the school must comply with a number of statutory requirements, but at the same time has the advantages that it receives funding from the state and its diplomas are recognised by the state and by other schools. A non-public school may acquire such rights if it:

- 1) realises the minimum education programme (core programme)
- 2) the length and number of its compulsory classes are not shorter than provided by law and realised by a public school of the same type
- 3) applies the rules concerning marks, promotion of pupils to next class, and exams,
- 4) keeps record of education documentation, as required for public schools
- 5) as regards core-subjects, employs staff complying with requirements foreseen for public schools (while establishing such a school, a list with names of teachers is obligatory).

Application for such status may be submitted while establishing a new school; however, a school may at any time decide to change its status. Following such a request, a control is sent to the school by the education superintendent to verify whether the school does comply with the statutory requirements.

In reality, non-public schools constitute a small percentage of schools in Poland. At the level of grammar schools, there are altogether 13,922 schools, of which 602 are run by associations, 78 by “denominational organisations” and 279 by other entities/persons. Also in terms of pupils only 10,800 out of 2,191,700 pupils attend a denominational school. This percentage increases slightly at lower secondary level: among 7278 gimnazja, there are 374 run by associations, 125 by denominational organisations and 249 by other entities, but the percentage of pupils is still low: only 16,300 out of 1,261,400 go to

denominational schools. Finally, among 2447 licea, 176 are run by associations, 93 by denominational organisations and 197 by other entities, with only 10,100 pupils out of 634,400.¹⁰

Churches and religious communities, having acquired the status of a legal entity with necessary provisions in their statutes, can run their own schools. This refers among others to the Catholic Church, which signed a Concordat of 28 July 1993 with the State of Poland (ratified on 23 February 1998). According to § 14.1 the Catholic Church has the right to establish and run educational institutions, including schools and kindergartens. However, these must fulfil the educational standards in obligatory subjects (in other subjects they follow church regulations) and in terms of the teaching staff (§ 14.3). Their public character is defined by Polish law (§ 14.2). These schools are funded by the State of Poland or municipal governments (§ 14.4). Non-public denominational schools in Poland are mostly Catholic – around 540, split almost equally between charter and private schools.

In general, the non-public schools, although requiring a tuition fee, are regarded as attractive. They are perceived by parents as offering higher quality of teaching, with focus on foreign languages; the classes are smaller, which helps the pupils to learn.

The number of schools not having rights of public schools is very limited. Although they enjoy very extensive independence for pupils and staff, due to the problems of recognition of the school results they are not popular with the parents. The children may pass external tests proving their competences, but obviously it is not the easiest or the most natural solution. Non-public schools not having rights of public schools have to provide the authorities with only very basic data, such as the conditions under which a pupil may get expelled from the school.

Homeschooling

The status of home schooling in Poland is very ambiguous. While the constitution guarantees the right of the parents to choose for their children different schools than public ones, the Act on the Education System limits the possibility. Article 16, point 8 stipulates that the headmaster (usually from the school of the catchment area) has the right to allow a child to fulfill the school duty outside school and set its conditions. Such a child can receive school certificates after having passed the appropriate exams of this particular school. This regulation might generate two types of problems for the home schoolers: first, they have to pass exams at least once a year, while other pupils who are enrolled do not have to, and second, the lack of detailed regulations allows the headmaster to arbitrarily set his own rules. On the other hand, the headmaster

makes his decision only twice a year – by allowing the pupil to be homeschooled and by examining if he fulfilled the task, so there is no diffusion of responsibility. He is also unable to interfere in the teaching process.

The authorization for homeschooling may be withdrawn on the request of parents, or if the child did not attempt to pass the exam or failed it.

In fact, there are very few families practising homeschooling in Poland, mainly international couples settled in Poland. Some of the parents complain that their children have to pass an exam at the end of each school year, an obligation which is not imposed on children attending schools, but this requirement seems to be justified, to the benefit of the child (in case parents fail at teaching their children, child would lose only one, and not six years of education).

It is hard to estimate the number of home schoolers in Poland and the reasons for choosing this type of education. According to the Association of Education in Family it might be several hundreds of pupils Poland-wide. Since EU accession an important growing category of home schoolers are children of Polish migrants who, parallel to education in their host countries, choose to follow also the Polish education program.

School choice not limited by family income

In Poland non-public schools are a minority compared to public (state) ones, and the main admission criterion is the catchment area. However, pupils of both public and non-public schools with the rights of public schools are eligible to receive financial help either from the state or from the relevant local authority. These benefits serve as a tool to improve the educational chances of pupils from vulnerable social groups. According to a CBOS survey, children from families with high education or good economic situation participate in after school activities (sports, arts, foreign language courses) more than three times more frequently than those from the opposite strata.¹¹

The territory of Poland, both in town and in villages, is divided into school attendance areas (by village, or by streets in towns and cities), which define which school a child should attend. Most typically, parents send their children to a district school. Education in public schools is free of charge, except for extra curricula activities like additional classes of a foreign language.

Unlike public schools, all non-public schools require tuition fees, which obviously vary, but the average is around 100 euros per month. These schools offer sometimes

“a social scholarship” for children from families with low income; this low income has to be proved. A number of schools require also certain minimum average of marks to get this scholarship. In most cases this scholarship is merely a reduction in tuition and does not constitute an exemption from fees or “pocket money” for a pupil.

As the education in public schools is free of charge, there are very limited financial mechanisms for families with lower income.¹² The entities of local self- government are responsible for transport of children to and from school, if the distance from home to school is more than 3 km for the pupils in grades 1-4 of the primary school and more than 4 km for the pupils in grades 5-6 of the primary and in gimnazjum.

Obligatory school uniforms were re-introduced after more than 20 years in the school year 2007/2008.¹³ At present, a headmaster may decide if the pupils should wear school uniforms or not.

The only significant expense for parents of children attending a public school is purchase of text books; there is an official list of authorised textbooks, which is issued in a form of a regulation of the Minister of Education.¹⁴ The headmaster of each school is obliged to inform parents by 15 June, which books will be used as obligatory set in next school year in his school. As headmasters may change their mind (potentially) every year, parents having more children are not always sure that the younger children will use the same textbooks as their older siblings, which means new expenses. There is a government subvention programme which partially reimburses the parents with lowest income as regards the purchase of books; however, this programme does not include all grades: e.g., it covers grades 1-3 of a grammar school, but not grades 4-6.

Schools with pupils who belong to national minorities, are disabled or inhabit small villages of 5.000 citizens or less receive a higher educational subsidy from the Ministry of National Education (the index is defined according to a yearly ordinance of the minister of national education on the way of sharing a part of the educational subsidy for local authorities). However, the subsidy is not marked to be used for particular needs of these pupils. It might also be spent for the whole school as such, or even – on the level of the district – on non-school purposes (e.g. infrastructure). There have been several lawsuits of schools against their districts on the way the latter spent the educational subsidy.

Children with high educational results whose parents have low income can get scholarships which enable them to continue education on the next level in a school located in a different place (city or voivodship). There are hardly possibilities of sending such children to non-public schools. Two humble exceptions are a charter

secondary school no. 20 “Raszyńska” and charter high school no. 1 “Bednarska” in Warsaw, which enroll some disabled and refugee children, whose education is covered from the fees paid by the parents of the rest of the children who study there. Some other non-public schools enroll pupils with high educational output from low income families and exempt them from the fee. This way the school gets high quality pupils, which also improves the level of enrollment.

Distinctive character

The Minister of Education sets basic requirements for all schools in Poland – the most recent version is in the regulation on “framework plans for teaching in public schools”, issued on 7 February 2012.¹⁵ It is up to the headmaster of each school to present a detailed school programme, after consulting all teachers working in the school (“pedagogical council” - *rada pedagogiczna*). As example, if the regulation issued by the Minister provides that during 3 years of *gimnazjum* there should be in total 5 classes of history, the headmaster may decide whether in the first grade pupils will have 2 classes per week, 2 classes in second grade and 1 class in the third grade, or whether he prefer 3 classes in first grade and 2 classes in second grade. The programme may vary between classes having different profiles, in particular at the level of *liceum*, where pupils prepare to take up studies.

There are special rules for schools and kindergartens facilitating pupils to safeguard their national, ethnical or linguistic identity; these rules were set in the regulation of the Minister issued on 14 November 2007,¹⁶ which provides more classes in the minority language. Since the educational system in Poland is unified, due to the common educational framework, not many multi-cultural or alternative schools exist. Most of such institutions offering alternative teaching methods and emphasizing various ways of pupil development are in big cities. Some of them are founded on *Pédagogie Freinet*, Montessori educational principles, Waldorf education, and pedagogy of Janusz Korczak.¹⁷ Also non-public schools, including denominational schools can maintain their distinctive philosophy and value system as long as they fulfill the educational standard set by the ministry.

National and ethnic minorities have a right to establish their own educational institutions, and they are entitled to have additional classes according to the *Act on national and ethnic minorities and regional language* of 6 January 2005.

Decisions about admitting pupils

Parents have only limited influence on school choice, since children are assigned to local schools based on their attendance area (*rejonizacja*). According to the *Act on the Education System* the network of public primary schools and secondary schools is designed by district councils. In theory the pupil can choose the school he would like to attend – then the local school should be notified about it and mark it in the pupils book. In practice, however, this choice is often limited, because children from the catchment area have always precedence over other pupils. Therefore schools have to enroll children from the catchment area and then – if places are available – can accept additional pupils. In case the school has no proper equipment to meet the special needs of a particular child and there is another school nearby which does, the first school has the right to reject enrollment of such child. Special needs might refer to disability or other dysfunctions.

Non-public schools are excluded from the attendance area rule and free to enroll pupils from any area. Such schools are not universally accessible as they have their own enrollment regulations, which – according to the *Act on the Education System* – have to be stated in the school's statute. Tuition fees are one of the sources of income of non-public schools and so one of the admission criteria. While some schools set only general recruitment criteria (e.g. an interview), or stipulate the criteria in internal school regulation (so that it is easier to change them, if needed), other have particular requirements. Two types of non-public schools select their pupils based on specific criteria: art schools (professional qualifications) and denominational schools (e.g. written opinion of the religious instruction teacher, or adherence to religious values).

As for foreigners, they are enrolled in public primary schools or art schools just as Polish native children, as the Order of the Ministry of Education of 1 April 2010 stipulates. Children who are more advanced in their education have to present reports from their previous schools. According to the *Act on the Education System* (§ 94a) foreign pupils who don't know Polish language well enough have the right to extra Polish classes free of charge. They also have the right to get help from a teaching assistant – a person who speaks their language and is employed for them at school, however such help might be provided no longer than for 12 months. Foreign pupils who do not know Polish language enough are also entitled to extra compensatory classes, but not longer than for 12 months. When it comes to home culture and language of foreign pupils, Polish schools are not obliged to teach them. However, in collaboration with respective diplomatic post or cultural associations, such classes might be organized, and then the school shall provide them with rooms free of charge.

Decisions about staff

The *Act Teacher's Charter* of 26 January 1982 regulates the profession of teachers in Poland, both of public and non-public schools (§ 1). A person can become a teacher if (s)he has higher education with pedagogical qualifications, fulfills moral rules, and is in health necessary for this kind of work. Detailed qualifications which teachers of different subjects and on different levels of education have to fulfill are defined by the relevant minister – of national education or, in case of art schools, of culture (§ 9). Teachers are employed by the school's headmaster (§ 10) according to a teacher's qualifications and professional degree.

According to § 12, teachers have freedom to use methods that they consider best for the pupils from those recognized by contemporary pedagogy and may choose textbooks from the list of accepted textbooks. At the same time, § 6 states that the teacher should educate pupils in their love to their homeland, respect to the Polish constitution and freedom of belief, as well as respect to every human being.

In non-public schools which have the rights of a public school, teachers teaching core-subjects (as set in the minimum programme of the Ministry of Education) must comply with the requirements of the Teachers' Charter, art. 91 b. For other teachers (teachers of non-core classes in private schools having rights of public schools and all teachers in other private schools), general rules of the Labour Code of 1974 apply. All teachers enjoy the status of public official, as provided by the criminal code of 1997, which means that the schools have the obligation to protect their teachers, e.g. in case of defamation or assault. Also the penalty provided in the criminal law is higher than in general case.

Concerning the recruitment of teachers, Polish law prohibits in general public entities to ask questions relating to a religion or belief. None of the personal documents refer in any way to religion or belief of its holder. Polish law is compliant with the law of the European Union, in particular with the Art. 4 para. 2 of the Directive 2000/78. This paragraph, being a special clause, allows denominational schools to employ teachers of this given denomination, which does not constitute discrimination for persons of other beliefs.

There are special requirements concerning teachers of religion, set in the agreement concluded between the Minister of Education and the Bishops' Conference of the Catholic Church (6 September 2000) and in the agreement between the Minister and the Polish Ecumenical Council (which groups seven major Churches: Protestant, Orthodox and Old-Catholic, 4 July 2001). A teacher must fulfill statutory

requirements and must obtain authorization, for Catholics from the local bishop. Teachers of religion whose authorization from religious authorities was withdrawn should be dismissed by the headmaster by the end of month during which this withdrawal occurred.

Every section (group of pupils) has a tutor, i.e. one of the teachers is responsible for this section, helps them in solving various problems, and is responsible for contacts with the parents. According to the law, a teacher of religion cannot be a tutor, even if the parents ask for this unanimously.

Accountability for school quality

At the level of provinces, it is the education superintendent (*kurator*), who on behalf of the governor (*voivod*) implements the policy of the Ministry and is responsible for the quality of education, both of public and not-public schools. He/she is appointed by the governor after consultation with the Minister of Education, hence his geographical responsibility is that of a province, of which there are currently 16 in Poland). The superintendent supervises public and non- public schools, co-operates with local and regional examination commissions, and cooperates with territorial self-government entities as regards financial situation of schools and institutions. The superintendent does not influence the curricula: the minimum requirements are set at the central level by the ministry, and the details of school profile and programme are set by every school headmaster. In certain areas, the superintendent is the appeal body from decisions taken by the headmaster (e.g. expelling a pupil from a school).

There are three levels of measuring school quality: a) internal – at school level – the headmaster, together with teachers analyze how the school functions, define exiting problems, and prepare plans; b) external – the superintendent provides each school with objective, reliable information about its strong and weak sides, what aims at improving the quality; c) external – the Ministry of National Education provides the superintendent with information in order to improve his work.

In terms of education quality, the Minister of Education has the most responsible position: he/she sets core curricula for compulsory general subjects, rules for assessing and promoting pupils and for conducting tests and examinations, organisation of school year, he/she approves the list of textbooks from which the directors may choose which textbook will be used in their schools. For example, the framework teaching plan was set most recently by the minister on 7 February 2012.

The legal framework for evaluation of school quality provides the *Ordinance of the*

Minister of National Education from 7 October 2009. Two basic types of activities are foreseen: planned and short-term. Superintendents are responsible for the first type of evaluation and fulfill it in the framework of basic directions of educational policy, while short-term evaluations are implemented if needed by institutions in charge of pedagogical supervision. On the school level, both types are implemented by headmasters.

The evaluation system is a holistic one and it encompasses: effects of didactical, upbringing and caretaking activity, processes taking place within school, functioning of school in local environment (especially collaboration with parents), and managing of the school (§ 7). There are five levels of fulfilling quality criteria of a school ranging from A – very high to E – low, and every element described above is evaluated separately. If the first dimension (effects of didactical, upbringing and caretaking activity) is marked with an E, the school headmaster is supposed to prepare a program with a time schedule which aims to improve the quality of educational performance – in the case of public schools.

The case of non-public schools is different. Recognition might be withdrawn if the pedagogical supervision demonstrates that the school's activity contradicts the rules set up in the Act of Education or in the schools statute, and – within a set time limit – it failed to fulfill the supervisions orders.¹⁸ If any other dimension is marked with an E the school has to implement activities aimed at improving the situation in this particular area.

At the end of each level of schooling (6th grade in primary school, 3rd grade in lower and upper secondary schools) and after receiving a final annual mark, pupils have to pass an exam, testing their knowledge and competencies. These written exams (written and oral for the end of lyceum “matura” which corresponds with baccalaureate or Abitur) are verified by an external state examination commission. Such a commission is appointed by the regional examination commission which reports to the Central Examination Commission; the statute of the latter is an annex to the ordinance issued by the Minister of Education dated 3 November 2011, replacing the previous text from 2008. The exams are of informative character: even if the pupil fails at this exam, he/she goes to the next grade (provided the final annual mark at the end of the school year was positive). As the tests are carried out by an external commission, they allow the pupils and staff to evaluate the teaching (and learning) results.

According to the report *Pedagogical supervision after a year of implementation of the reform* in 2009/2010 year there were 244 evaluations carried out Poland- wide with only one school graded with an E in the first dimension. Evaluation was voluntary so one can assume that only the best educational institutions offered

themselves (especially as over 70% of primary and secondary schools was graded with A or B). One of the indicators of the quality of education is the results of the final exams, other include active participation of pupils in the class, respecting social norms, even though subjective participation of pupils is often lacking. In the same year the supervisors monitored over 11,000 different educational institutions, including 5,700 primary schools and 1,300 secondary schools. Around every fourth control brought up some sort of contravention of regulations and the headmasters were asked to improve the situation. Moreover, there were 3,650 short-term controls in this year. Most of the controls referred to the minor issues such as adding to the school's statute information about possible admission of 5 year old pupils.¹⁹

Currently the system of pedagogical supervision is undergoing a process of long-term reform. The newly designed system evaluates the conditions of educational activities and its outcomes, but also provides schools with help in achieving their educational goals and inspires teachers to pursue didactical innovations – so it evaluates, monitors and supports. The priorities of pedagogical supervision are set yearly by the Minister of National Education. Some of the arguments against the reform point out that the education office was deprived of some of its tools which were supposed to be assumed by educational inspectors appointed on a local level, due to lack of proper regulations. Therefore the actual control over school quality rests on the local authority and headmasters.²⁰

As stated in the introduction, according to the PISA study and to the benchmarks introduced by the European Commission, the Polish schools score well, definitely above the OECD/EU average.

Teaching of values

The preamble to the post-communist statute on the educational system (1991) provided that Christian values must be respected. As it is a preamble to the entire statute, one may conclude that all schools, public and non-public (and among them Christian and non-Christian denominational schools) shall respect these values. It reads as follows: *“Education and upbringing – respecting the Christian values – accepts as a basis the universal principles of ethics. Education and upbringing aim at developing sense of responsibility of the young people, their love to the homeland and respect for the Polish cultural heritage, remaining at the same time open for the cultural values of Europe and of the world. The school should provide every pupil with conditions necessary for his/her development, prepare for the fulfillment of family and civic obligations, based on the principles of solidarity, democracy, tolerance, justice and freedom.”*

The only controversial subject is the so called “*preparation to a life in a family*”, which should cover topics like sexual life, pregnancy, family values, etc. The current legal basis is regulation of the Minister of Education, issued on 12 August 1999, most recently amended on 17 February 2012. The pupils should start with this subject in the fifth class of primary school, hence, when they are 11 year old. There should be 14 hours per school year, among which at least 5 should be taught separately for boys and girls. This class raises some social controversies as to whether and to what extent children should be taught about anti-conception.

There is a nationwide and persistent issue of religious classes or ethics. The public schools may at request of parents provide children with classes in religion, or alternatively, with classes in ethics if parents of seven children request so, or parents of 3 children in certain cases.²¹ It is worth underlining that what is provided is religious instruction as defined by one denomination (mainly Catholic, though in some regions also Orthodox or Lutheran), not classes about religions.

The parents who request classes of ethics for their children struggle with various difficulties: there is not a sufficient number of prepared teachers - priests do not want to teach ethics, nor do the parents want them to do so, there are no textbooks, children wanting to attend ethics are perceived as “different”. The case of family Grzelak, who unsuccessfully requested classes of ethics for their son, reached even the European Court of Human Rights in Strasbourg.²² The ECHR confirmed that Poland violated the principle of religious non-discrimination.²³ However, not many things changed since then, the classes in ethics are organised mainly in bigger cities, not in villages or small towns.

Teaching of values is assured to a higher degree in denominational schools.

Endnotes

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- ³ Wojciechowski W., Kalina L., Łaszek A. (2010, 14th October). Szkołę ma widzieć kosztowną, Forum Obywatelskiego Rozwoju, http://www.for.org.pl/upload/File/prezentacje/Prezentacja_Szkole_ma_widze_kosztowna_14.10.2010.pdf
- ⁴ Cons. text OJ 2006, No. 97, item 674 with amendments
- ⁵ Regulations issued 12 March 2009, OJ 2009, No. 50, it. 400, with amendments
- ⁶ 3 November 2003, cons. text in OJ 2008, No. 88, it. 539 with amendments
- ⁷ Cf. cases IV CKS 312/06, IV CSK 204/08, III CZP 88/07 of the Supreme Court
- ⁸ Mezglewski (2004), Szkolnictwo wyznaniowe w Polsce 1944-1980, Lublin, 36.
- ⁹ OJ 2004, No. 46, it. 438, recently amended on 4 October 2011
- ¹⁰ GUS, Mały rocznik statystyczny 2011, s. 237
- ¹¹ CBOS (2008b, October). Wydatki rodziców związane z nowym rokiem szkolnym. Opinie zlat 1997–2008. BS/160/2008, 14.
- ¹² a so-called social scholarship, as provided by the regulation of Minister of Education, 22 February 2005
- ¹³ amendment to the statute on the education system, introduced in 2007, which was in force only one year, repelled in 2008
- ¹⁴ currently, regulation dated 23 December 2008, O.J. 2009 r. No. 4, it. 17
- ¹⁵ OJ 2012, it. 204, and replacing the previous regulation from 2002

¹⁶ OJ 2007, No. 214, it. 1579, most recently updated on 4 April 2012

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²² case 7710/02, judgment 15 June 2010

²³ Art. 14 of the ECHR taken in conjunction with Art. 9 ECHR

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